

INTERFERENCE DIGEST

Interference No. 105,514

Paper No.

Name: Yu-Yang Chang et al.

Serial No.: 09/779,295

Patent No. 6,436,221, granted 08/20/02

Title: Method of improving field emission efficiency for fabricating carbon nanotube field emitters

Filed: 02/07/01

Interference with Bouchard et al.

DECISION ON MOTIONS

Administrative Patent Judge, _____ Dated, _____

FINAL DECISION

Board of Patent Appeals and Interferences, _____ Dated, _____

Court, _____ Dated, _____

REMARKS

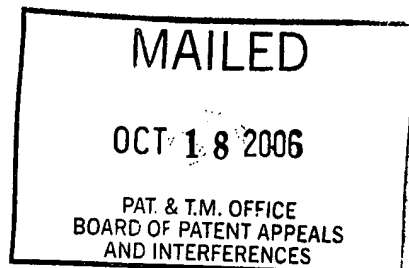
This should be placed in each application or patent involved in interference in addition to the interference letters.



UNITED STATES PATENT AND TRADEMARK OFFICE

DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES
BOX INTERFERENCE, WASHINGTON, D.C. 20231

Filed by: Judge Richard E. Schafer
Telephone: 571-272-4683
Facsimile: 571-273-0042



Patentees: CHANG
Application No.: 09/779,295 now Patent No.
6,436,221, granted 08/20/02
Filed: 02/07/01
For: Method of improving field emission efficiency
for fabricating carbon nanotube field emitters

The above-identified application or patent has been forwarded to the Board of Patent Appeals and Interferences because it is adjudged to interfere with another application or patent. An interference has been declared. The interference is designated as No. 105,514.

Notice is hereby given the parties of the requirement of the law for filing in the Patent and Trademark Office a copy of any agreement "in connection with or in contemplation of the termination of the interference." 35 U.S.C. § 135(c).

/Richard E. Schafer/
RICHARD E. SCHAFER
Administrative Patent Judge

Mail Stop Interference
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Alexandria Va 22313-1450
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Paper 1

Filed October 18, 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

E. I. du Pont De Nemours and Company,
Junior Party
(Application 09/882,719,
Inventors: Robert Joseph Bouchard,
Lap-Tak Andrew Cheng,
John Gerard Lavin, and
David Herbert Roach),

v.

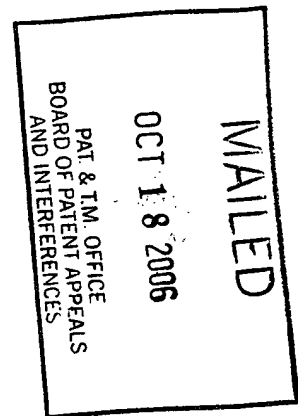
Industrial Technology Research Institute,
Senior Party
(Patent 6,436,221,
Inventors: Yu-Yang Chang,
Jyh-Rong Sheu, and
Cheng-Chung Lee).

Patent Interference 105,514 (RES)
(Technology Center 1700)

DECLARATION - Bd.R. 203(b)¹

Part A. Declaration of interference

¹ "Bd.R. x" may be used as shorthand for "37 C.F.R. § 41.x". 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).



An interference is declared (35 U.S.C. § 135(a)) between the above-identified parties. Details of the application(s), patent (if any), reissue application (if any), count and claims designated as corresponding or as not corresponding to the count appear in Parts E and F of this DECLARATION.

Part B. Judge managing the interference

Administrative Patent Judge Richard E. Schafer has been designated to manage the interference. 37 CFR § 41.104(a)

Part C. Standing order

A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this DECLARATION. The STANDING ORDER applies to this interference.

Part D. Initial conference call

A telephone conference call to discuss the interference is set for **2:00 p.m. on December 15, 2006** (the Board will initiate the call).

No later than **two business days** prior to the conference call, each party shall file and serve (SO ¶¶ 10.1 & 105) a list of the motions (37 CFR § 41.120 & 204; SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

A time periods for taking action during the motion phase are set in an order accompanying this declaration.

Part E. Identification and order of the parties

Junior Party

Named inventors:	Robert Joseph Bouchard Lap-Tak Andrew Cheng John Gerard Lavin David Herbert Roach
Involved Application:	09/882,719 filed June 15, 2001
Title:	Process for Improving the Emission of Electron Field Emitters
Assignee:	E. I. du Pont De Nemours and Company

Senior Party

Named Inventors: Yu-Yang Chang
Jyh-Rong Sheu
Cheng-Chung Lee

Involved Patent 6,436,221 based on Application 09/779,295
filed February 7, 2001

Title: Method of Improving Field Emission Efficiency for
Fabricating Carbon Nanotube Field Emitters

Assignee: Industrial Technology Research Institute

The senior party is assigned exhibit numbers 1001-1999. The junior party is assigned exhibit numbers 2001-2999. 37 CFR § 41.154(c)(1); SO ¶ 154.2.1. The senior party is responsible for initiating settlement discussions. SO ¶ 126.1.

Part F. Count and claims of the parties

Count 1

Claim 1 of Patent 6,436,221 or Claim 82 of Application 09/882,719.

It is noted that each of the above claims includes the phrase “wherein a plurality of conductive pattern is formed thereon”. The phrase shall be read and understood in the claims and the count as “a plurality of conductive patterns”.

The claims of the parties are:

DuPont (Bouchard)(09/882,719): Claims 1-11, 54-56, 60-63, 66,
69-80, 82, 92 and 93

Industrial Technology (Chang)(6,436,221): Claims 1-9

The claims of the parties that correspond to Count 1 are:

DuPont (Bouchard)(09/882,719): Claims 1-11, 54-56, 60-63, 66,
69-80, 82, 92 and 93

Industrial Technology (Chang)(6,436,221): Claims 1-9

The claims of the parties that do not correspond to Count 1, and therefore are not involved in the interference, are:

DuPont (Bouchard)(09/882,719): None

Industrial Technology (Chang)(6,436,221): None

The parties are accorded the following benefit for Count 1:

DuPont (Bouchard)(09/882,719): None

Industrial Technology (Chang)(6,436,221): None

Part G. Heading to be used on papers

The following heading must be used on all papers filed in this interference, see SO ¶ 106.1.1:

Paper _____

Filed on behalf of: *Party @.*

By: *Counsel Name(s) @*

Address @

(@@@) @@@- @@@@ (telephone)

(@@@) @@@- @@@@ (facsimile)

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

E. I. du Pont De Nemours and Company,

Junior Party

(Application 09/882,719,

Inventors: Robert Joseph Bouchard,

Lap-Tak Andrew Cheng,

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v.

Industrial Technology Research Institute,

Senior Party

(Patent 6,436,221,

Inventors: Yu-Yang Chang,

Jyh-Rong Sheu, and

Cheng-Chung Lee).

Patent Interference 105,514 (RES)
(Technology Center 1700)

Part H. Order form for requesting file copies

When requesting copies of files, use of SO Form 4 will greatly expedite processing of the request. Please attach a copy of Parts E and F of this DECLARATION with a hand-drawn circle around the patents and applications for which a copy of a file wrapper is requested.

/Richard E. Schafer/
Administrative Patent Judge

Enc:

Copy of STANDING ORDER
Copy U.S. Patent 6,436,221
Copy of claims of Application 09/882,719

Revised 3 January 2006

cc (via overnight delivery):

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